

CONVERSATION DOCUMENT - CONFIDENTIAL

Division of Investigative Oversight - Office of Research Integrity

1. Date 12/12/02 2. Time 9:40 a.m. 3. Est. Dur. 8 min. 4. ORI Case 2001-28 5. ORI Staff ARP

Person Calling (Degree): Dr. Tony Forester, Chair, Committee on Research Integrity

Affiliation: Dr. Sheila Eder, Staff to the Committee

Address: Univ. of Medicine and Dentistry of New Jersey

Phone: Fax: Initiated By: them

SUBJECT - REASON FOR CALL:

Questions about DIO's oversight report on this closed case.

SUMMARY OF CONVERSATION:

Dr. Forester asked what the meaning was of the sentence: "However, given the absence of proper controls for this analysis, DIO does not find this evidence or the above inadequacies in the inquiry report sufficient to warrant further investigation in this case."

DIO replied that when ORI wants to use digit frequency analysis as evidence to support a finding of falsification of data, DIO wants to have unquestioned control data, by the same person or another reliable person, using the same instruments, that can be subjected to a parallel analysis. DIO did not have such evidence in this case. Furthermore, ORI has not yet based a finding of scientific misconduct on statistical calculations alone, since there remains the argument that a rare event could have taken place. **Given the additional questions about the credibility of the complainants**, DIO did not find sufficient evidence to warrant a finding in this case.

Dr. Forrester also asked what the meaning was of the sentence: "From the available evidence, DIO cannot resolve whether the Coulter counts were actually fabricated, and this issue for DIO remains unresolved."

DIO responded that, as discussed previously, given the inability to prove that the respondent fabricated the questioned data, and the other shortcomings cited, DIO chose not to pursue the matter further and closed the case. DIO added that DIO had not asked the institution to do more investigation or analysis either, as DIO had in other cases where evidence was available to pursue. Dr. Foreseter said he had read the last pages of the report and understood that statement.

TO DO : Nothing - case is closed.

